

This is not the official court record. Official records of court proceedings may only be obtained directly from the court maintaining a particular record.

## In the Matter of the Paternity of [REDACTED]

Case Number	27D02-0404-JP-000325
Court	Grant Superior Court 2
Type	JP - Juvenile Paternity
Filed	04/28/2004
Status	05/29/2015 , Decided
Reference	Original County Cause Number d204jp325

## Parties to the Case

Respondent Hemphill, Willie

Address

1326 S LYNHURST DRIVE #18  
Indianapolis, IN 46241

Child [REDACTED]

Description

Male

Petitioner Jones, Tracy Y

Address

[REDACTED]  
Marion, IN 46953

Attorney

Kim Alan Rogers  
#618327, Retained

401 S Adams  
Marion, IN 46952  
765-664-0003(W)

## Chronological Case Summary

04/28/2004 **Case Opened as a New Filing**

05/29/2015 **Case Events Prior to July 1, 2014 In Confidential File**

Please refer to Indiana Supreme Court Administrative Rule 9 for rules on confidentiality and access to court records.

Case Filed: 04/28/2004

05/29/2015 **Petition Filed**

Respondent files pro se Modification of Child Support while Incarcerated. Court forwards to Title IV D Caseworker for processing request for hearing. ty

Filed By: Hemphill, Willie

File Stamp: 05/26/2015

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**05/30/2015 Notice Issued to Parties**

Sent To: Hemphill, Willie

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**05/30/2015 ENotice Issued to Parties**

Sent To: Johnson, Stephen

Sent To: Rogers, Kim Alan

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**07/16/2015 Administrative Event**

Courts Response to the Petition for an Lambert Order on Child Support mailed to the Respondent return undelivered marked "return to sender" "gone". ty

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**07/17/2015 Notice Issued to Parties**

Sent To: Hemphill, Willie

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**07/17/2015 ENotice Issued to Parties**

Sent To: Johnson, Stephen

Sent To: Rogers, Kim Alan

---

**03/30/2016 Affidavit Filed**

Title IV-D Agency by Kim Rogers files Affidavit for Citaiton with Citaiton and sets for a hearing April 21, 2016 at 10:00 a.m. ty

Filed By: Rogers, Kim Alan

File Date: 03/24/2016

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**03/30/2016 Hearing Scheduling Activity**

Hearing scheduled for 04/21/2016 at 10:00 AM.

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**03/31/2016 Notice Issued to Parties**

Sent To: Hemphill, Willie

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**03/31/2016 ENotice Issued to Parties**

Sent To: Johnson, Stephen

Sent To: Rogers, Kim Alan

---

**04/04/2016 Service Returned Not Served**

Hamilton County Sheriff return on Citation to Respondent filed showing address is not Hamilton County Address. ty

Pty Not Svd: Hemphill, Willie

File Stamp: 03/24/2016

---

**04/05/2016 Notice Issued to Parties**

Sent To: Hemphill, Willie

---

**04/05/2016 ENotice Issued to Parties**

Sent To: Johnson, Stephen

Sent To: Rogers, Kim Alan

---

**04/15/2016 Service Returned Not Served**

Marion County Sheriff return on Citation to the Respondent filed showing NFIB Boarded up Vacant. ty

Pty Not Svd: Hemphill, Willie

File Stamp: 03/24/2016

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**04/16/2016 Notice Issued to Parties**

Sent To: Hemphill, Willie

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**04/16/2016 ENotice Issued to Parties**

Sent To: Johnson, Stephen

Sent To: Rogers, Kim Alan

---

**04/21/2016 Hearing**

Session:

04/21/2016 10:00 AM, Judicial Officer: McLane, Brian F. - MAG

Comment: citation

Result: Vacated

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**04/21/2016 Hearing Journal Entry**

Title IV D to reissue pleading to the Respondent. ty

Judicial Officer: McLane, Brian F.

Present: Rogers, Kim Alan

Hearing Date: 04/21/2016

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**04/22/2016 Notice Issued to Parties**

Sent To: Hemphill, Willie

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**04/22/2016 ENotice Issued to Parties**

Sent To: Johnson, Stephen

Sent To: Rogers, Kim Alan

---

**05/19/2016 Petition Filed**

Respondent files Petition to Modify Child Support. Respondent is incarcerated with an out date of 7/22/2016.

Respondent filed previously on 5/27/2015 and remains in DOC. Title IV D Agency to notify Petitioner for a hearing set upon the Petition for July 28, 2016 sy 9:30 a.m. ty

Filed By: Hemphill, Willie

File Stamp: 05/19/2016

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**05/19/2016 Hearing Scheduling Activity**

Hearing scheduled for 07/28/2016 at 9:30 AM.

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**05/19/2016 Hearing Scheduling Activity**

Hearing scheduled for 07/28/2016 at 9:30 AM.

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**05/19/2016 Hearing Scheduling Activity**

Hearing scheduled for 07/28/2016 at 9:30 AM was cancelled. Reason: Assigned in Error.

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**05/20/2016 Automated Paper Notice Issued to Parties**

Sent To: Hemphill, Willie

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**05/20/2016 Automated ENotice Issued to Parties**

Sent To: Johnson, Stephen

Sent To: Rogers, Kim Alan

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05/24/2016 **Certified Mail Returned**

SIGNED BY "ILLEGIBLE"

Party Served: Hemphill, Willie  
Date Signed: 05/21/2016

---

05/25/2016 **Automated Paper Notice Issued to Parties**

Sent To: Hemphill, Willie

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05/25/2016 **Automated ENotice Issued to Parties**

Sent To: Johnson, Stephen  
Sent To: Rogers, Kim Alan

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07/27/2016 **Service Returned Served**

Sheriff return on Notice of Hearing to the Petitioner filed showing copy and mail service. ty

Party Served: Jones, Tracy Y  
Date Served: 07/25/2016

---

07/28/2016 **Hearing**

Session:

07/28/2016 9:30 AM, Judicial Officer: McLane, Brian F. - MAG

Comment: Modification of child support LO

Result: Commenced and concluded

---

07/28/2016 **CANCELED Hearing**

Reason: Assigned in Error

Session:

07/28/2016 9:30 AM, Cancelled

Comment: Modifcation pro se LO resp.

---

07/28/2016 **Automated Paper Notice Issued to Parties**

Sent To: Hemphill, Willie

---

07/28/2016 **Automated ENotice Issued to Parties**

Sent To: Johnson, Stephen  
Sent To: Rogers, Kim Alan

---

07/28/2016 **Hearing Journal Entry**

Both Parties appear for a hearing on adjusting the arrearage due to request for lambert order during incarceration.  
Hearing was held and an order to be filed. ty

Judicial Officer: McLane, Brian F.  
Present: Jones, Tracy Y  
Present: Hemphill, Willie  
Present: Johnson, Stephen  
Hearing Date: 07/28/2016

---

08/09/2016 **Order Issued**

Child Support Order filed. ty

Judicial Officer: McLane, Brian F.  
Order Signed: 07/28/2016

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08/10/2016 **Automated Paper Notice Issued to Parties**

Sent To: Hemphill, Willie

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**08/10/2016 Automated ENotice Issued to Parties**

Sent To: Johnson, Stephen  
Sent To: Rogers, Kim Alan

---

**08/10/2016 Clerk Administrative Event**

Sent Child Support Order to parties.

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**08/10/2016 Final Judgment entered**

Judicial Officer Kenworthy, Dana J.

**Monetary Award:**

Judgment: \$16,790.69;

Status: Active; Signed Date: 07/28/2016

Awarded to: Tracy Jones

Awarded against: Willie Hemphill

RJO Book: 2016, Page 0810

Judgment Book: 2016, Page 0810

Comment: ARREARS AS OF 6-30-16. THIS AMT CANCELS ANY PREVIOUS ARREARAGE JUDGMENT ON THIS CAUSE NUMBER.

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**08/11/2016 Automated Paper Notice Issued to Parties**

Sent To: Hemphill, Willie

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**08/11/2016 Automated ENotice Issued to Parties**

Sent To: Johnson, Stephen  
Sent To: Rogers, Kim Alan

---

**08/19/2016 Administrative Event**

Copy of the last order mailed to the Respondent returned undelivered. ty

---

**08/20/2016 Automated Paper Notice Issued to Parties**

Sent To: Hemphill, Willie

---

**08/20/2016 Automated ENotice Issued to Parties**

Sent To: Johnson, Stephen  
Sent To: Rogers, Kim Alan

---

**08/24/2016 Order Issued**

Amended Child Support Order filed ty (Change on Party requesting Hearing). ty

Judicial Officer: McLane, Brian F.

Order Signed: 07/28/2016

---

**08/25/2016 Automated Paper Notice Issued to Parties**

Sent To: Hemphill, Willie

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**08/25/2016 Automated ENotice Issued to Parties**

Sent To: Johnson, Stephen  
Sent To: Rogers, Kim Alan

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**05/12/2017 Change of Address Filed**

change of address for respondent

Party: Jones, Tracy Y

File Stamp: 05/11/2017

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**05/13/2017 Automated Paper Notice Issued to Parties**Change of Address Filed ---- 5/12/2017 : Willie Hemphill

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**05/13/2017 Automated ENotice Issued to Parties**Change of Address Filed ---- 5/12/2017 : Stephen Johnson;Kim Alan Rogers

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**12/11/2017 Affidavit Filed**

Contempt Citation

Filed By: Jones, Tracy Y

File Date: 12/11/2017

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**12/11/2017 Subpoena/Summons Filed**

Citation

Filed By: Jones, Tracy Y

File Stamp: 12/11/2017

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**12/13/2017 Hearing Scheduling Activity**Hearing scheduled for 01/09/2018 at 10:30 AM.

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**12/14/2017 Automated Paper Notice Issued to Parties**Hearing Scheduling Activity ---- 12/13/2017 : Willie Hemphill

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**12/14/2017 Automated ENotice Issued to Parties**Hearing Scheduling Activity ---- 12/13/2017 : Stephen Johnson;Kim Alan Rogers

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**01/09/2018 Hearing**

Session:

01/09/2018 10:30 AM, Judicial Officer: McLane, Brian F. - MAG

Comment: citation

Result: Commenced and concluded

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**01/09/2018 Hearing Journal Entry**

Respondent appears for Citation hearing. Hearing was held and an order to be filed. ty

Judicial Officer: McLane, Brian F.

Present: Hemphill, Willie

Present: Meeks, Nathan David

Hearing Date: 01/09/2018

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**01/17/2018 Order Issued**

Order on Citation Hearing filed. ty

Judicial Officer: McLane, Brian F.

Order Signed: 01/10/2018

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**01/17/2018 Final Judgment entered**

Judicial Officer Kenworthy, Dana J.

**Monetary Award:**

Judgment: \$19,066.00;

Status: Active; Signed Date: 01/10/2018

Awarded to: Tracy Jones

Awarded against: Willie Hemphill

RJO Book: 2018, Page 0117

Judgment Book: 2018, Page 0117

Comment: ARREARS AS OF 12/31/17. THIS AMOUNT CANCELS ANY PREVIOUS ARREARAGE JUDGMENT ON THIS CAUSE NUMBER.

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**01/18/2018 Automated Paper Notice Issued to Parties**

Order Issued ---- 1/17/2018 : Willie Hemphill

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**01/18/2018 Automated ENotice Issued to Parties**

Order Issued ---- 1/17/2018 : Nathan David Meeks

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**05/04/2018 Affidavit Filed**

Contempt Citation

Filed By: Jones, Tracy Y

File Date: 05/02/2018

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**05/04/2018 Subpoena/Summons Filed**

Citation

Filed By: Jones, Tracy Y

File Stamp: 05/02/2018

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**05/04/2018 Hearing Scheduling Activity**

Compliance Hearing scheduled for 05/29/2018 at 10:30 AM.

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**05/05/2018 Automated Paper Notice Issued to Parties**

Hearing Scheduling Activity ---- 5/4/2018 : Willie Hemphill

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**05/05/2018 Automated ENotice Issued to Parties**

Hearing Scheduling Activity ---- 5/4/2018 : Nathan David Meeks

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**05/23/2018 Service Returned Served**

Return of Notice field showing copy/mail service. mh

Party Served: Hemphill, Willie

Date Served: 05/15/2018

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**05/24/2018 Automated Paper Notice Issued to Parties**

Service Returned Served ---- 5/23/2018 : Willie Hemphill

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**05/24/2018 Automated ENotice Issued to Parties**

Service Returned Served ---- 5/23/2018 : Nathan David Meeks

---

**05/29/2018 Compliance Hearing**

Session:

05/29/2018 10:30 AM, Judicial Officer: McLane, Brian F. - MAG

Comment: citation

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**07/09/2018 Order Issued**

Order on Body Attachment For Failure To Appear. mh

Judicial Officer: McLane, Brian F.

Order Signed: 07/06/2018

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**07/09/2018 Warrant or Writ of Attmnt for the Body of a Person Issued**

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**07/10/2018 Automated Paper Notice Issued to Parties**Order Issued ---- 7/9/2018 : Willie Hemphill

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**07/10/2018 Automated ENotice Issued to Parties**Order Issued ---- 7/9/2018 : Nathan David Meeks

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**12/30/2018 Warrant or Writ of Attmnt for the Body of a Person Served**

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**12/31/2018 Release on Own Recognizance**

Comes now the Court by the request of IV-D Prosecutor released Mr. Hemphill on his own Recognizance with a Court date of 1-22-19 at 9:30 am to appear. cf

Order Signed: 12/31/2018

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**01/03/2019 Hearing Scheduling Activity**Hearing scheduled for 01/22/2019 at 9:30 AM.

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**01/04/2019 Automated Paper Notice Issued to Parties**Hearing Scheduling Activity ---- 1/3/2019 : Willie Hemphill

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**01/04/2019 Automated ENotice Issued to Parties**Hearing Scheduling Activity ---- 1/3/2019 : Nathan David Meeks

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**01/18/2019 Administrative Event**

Mr Hemphill request to appear by telephone due to not having transportation and living in Indianapolis. cf

File Stamp: 01/18/2019

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**02/05/2019 Hearing Scheduling Activity**Hearing originally scheduled on 01/22/2019 at 9:30 AM was rescheduled to 02/19/2019 at 9:30 AM. Reason: Court's Own Motion.

---

**02/06/2019 Automated Paper Notice Issued to Parties**Hearing Scheduling Activity ---- 2/5/2019 : Willie Hemphill

---

**02/06/2019 Automated ENotice Issued to Parties**Hearing Scheduling Activity ---- 2/5/2019 : Nathan David Meeks

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**02/19/2019 Hearing**

Session:

01/22/2019 9:30 AM, Rescheduled

Session:

02/19/2019 9:30 AM, Judicial Officer: McLane, Brian F. - MAG

Comment:

Attachment

**02/19/2019 Hearing Scheduling Activity**

Hearing scheduled for 03/19/2019 at 9:30 AM.

**02/20/2019 Automated Paper Notice Issued to Parties**

Hearing Scheduling Activity ---- 2/19/2019 : Willie Hemphill

**02/20/2019 Automated ENotice Issued to Parties**

Hearing Scheduling Activity ---- 2/19/2019 : Nathan David Meeks

**03/19/2019 Hearing**

Session:

03/19/2019 9:30 AM, Judicial Officer: McLane, Brian F. - MAG

Comment:

Call him

**06/26/2019 Order Issued**

Order issued on Citation hearing filed. sjl

Judicial Officer:

McLane, Brian F. - MAG

Order Signed:

06/24/2019

**06/27/2019 Automated Paper Notice Issued to Parties**

Order Issued ---- 6/26/2019 : Willie Hemphill

**06/27/2019 Automated ENotice Issued to Parties**

Order Issued ---- 6/26/2019 : Nathan David Meeks

**06/27/2019 Final Judgment entered**

Judicial Officer

Kenworthy, Dana J.

Monetary Award:

Judgment: \$20,643.40;

Status: Active; Signed Date: 06/24/2019

Awarded to: Tracy Jones

Awarded against: Willie Hemphill

RJO Book: 2019, Page 0627

Judgment Book: 2019, Page 0627

Comment: Arrears as of 2/28/19 this amount cancels any previous arrearage judgment on this cause number.

**Financial Information**

\* Financial Balances reflected are current representations of transactions processed by the Clerk's Office. Please note that any balance due does not reflect interest that has accrued – if applicable – since the last payment. For questions/concerns regarding balances shown, please contact the Clerk's Office.

**Hemphill, Willie**

Respondent

Balance Due (as of 07/03/2019)

**20,643.40**

## Charge Summary

Description	Amount	Credit	Payment
Court Costs and Filing Fees	0.00	0.00	0.00
Restitution	20,643.40	0.00	0.00

## Transaction Summary

Date	Description	Amount
08/10/2016	Transaction Assessment	20.00
08/10/2016	Waiver	20.00
08/10/2016	Transaction Assessment	16,790.69

This is not the official court record. Official records of court proceedings may only be obtained directly from the court maintaining a particular record.

1. On the 18<sup>th</sup> day of June, 2004, the Petitioner was ordered to pay the sum of \$ 41.00 per week in child support and \$ 10.00 per week in Arrearages.
2. The Petitioner is presently incarcerated at the Marion County Jail II and is unable to pay the support obligation due to the fact that he has no income.
3. The Petitioner, is indigent (an Affidavit of indigence is made a part hereto in attachment), and has no funds with which to pay this support obligation.
4. The Petitioner, has been incarcerated since the 23<sup>rd</sup> day of the April, 2015.
5. The Petitioner feels that the amount of support that will accumulate during his incarceration will be impossible for him to pay upon his release from incarceration and additional accumulation of back support will create extreme financial difficulties for him.
6. The Petitioner does not seek to ignore his support responsibility and will re-petition the court to increase his obligation after he is released and able to secure gainful employment.

WHEREFORE, the Defendant requests the following relief:

- A. That the Court set early times and dates for a hearing on this matter.
- B. That the parties be notified of such hearing, and that the Defendant be transported to the hearing,
- C. That the Court grant the relief requested and Order the support in this cause of action be reduced or abated until his release from incarceration and;
- D. For any other relief deemed appropriate within the premises.

RESPECTFULLY SUBMITTED

*Willie Hemphill* Willie Hemphill, pro se  
Defendant, pro se,  
Marion County Jail II  
730 E. Washington Street  
Indianapolis, Indiana  
46202



VERIFICATION

I, Willie Hemphill, HEREBY CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THE FOREGOING MOTION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

RESPECTFULLY SUBMITTED,

Willie Hemphill  
Signature

CCA MARIONCOUNTY JAIL II  
730 EAST WASHINGTON STREET  
INDIANAPOLIS, IND. 46202

CERTIFICATION OF SERVICE

I, Willie Hemphill, HEREBY CERTIFY THAT A TRUE AND ACCURATE COPY OF THE FOREGOING MOTION HAS BEEN DELIVERED BY U.S. MAIL ON THE 21st DAY OF May, 2015, TO THE PROSECUTING ATTORNEY OF ~~Marion~~ COUNTY.  
Grant County.

RESPECTFULLY SUBMITTED.

Willie Hemphill  
Signature

CCA MARION COUNTY JAIL II  
730 EAST WASHINGTON STREET  
INDIANAPOLIS, IND. 46202

IN THE SUPERIOR COURT #2  
JUVENILE DIVISION  
GRANT COUNTY, INDIANA

JUL 01 2015

*Ernie J. Cartwright*  
CLERK GSC 2

In Re: Child Support

TRACY Y. JONES, Petitioner, Custodial Party

*Blenda Russell*  
Chief Deputy

Vs.

CAUSE NO.: 27D02-0404-JP-000325

WILLIE E. HEMPHILL, Respondent, Absent/Incarcerated Party

RESPONSE OF CUSTODIAL PARTY

Custodial Party hereby responds to Incarcerated Party's Request to Reduce child support as follows (check only one response):

- \_\_\_\_ Please set this matter for hearing. Custodial Party intends to submit evidence that Incarcerated Party has other income that should be considered by the court in calculating child support.
- \_\_\_\_ Do not set this matter for hearing. Custodial Party understands that a recent ruling by the Indiana Supreme Court may require the Court to reduce the present child support order. Upon release, Incarcerated Party's present support obligation, plus any amount ordered on arrearages shall automatically return to the present order without further petition, notice, hearing or order.

Mail or deliver a copy of this Response to the above Court at the Grant County Courthouse, Juvenile Court 101 E. 4<sup>th</sup> St., Marion, IN 46952.

Custodial Party

Date signed: \_\_\_\_\_

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone

EXPECTED RELEASE DATE NOTICE

Incarcerated Party notifies the Custodial Party of the following expected release date:

\_\_\_\_\_, 2015.

\_\_\_\_\_  
Signed by Incarcerated Party

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Address

IN THE SUPERIOR COURT #2  
JUVENILE DIVISION  
GRANT COUNTY, INDIANA

FILED

JUL 01 2015

Lorrie J. Catwright  
CLERK GSC 2

Jenna Russell  
Chief Deputy

In Re: Child Support

TRACY Y. JONES, Petitioner, Custodial Party

Vs.

CAUSE NO.27D02-0404-JP-000325

WILLIE E. HEMPHILL, Respondent, Absent/Incarcerated Party

COURTS RESPONSE TO THE  
PETITION FOR AN LAMBERT ORDER ON CHILD SUPPORT

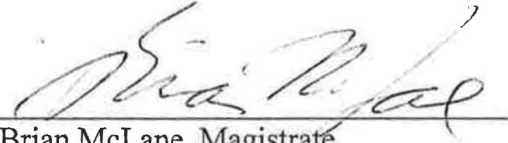
Incarcerated Absent Party (Incarcerated Party) has submitted a request for a child support reduction. Indiana law provides that a party whose income is reduced due to imprisonment may be entitled to a support modification. Your Magistrate therefore respectfully order:

1. Since Incarcerated Party has no Constitutional or statutory right to personally appear in Court for hearing on an unrelated civil matter, this procedure has been adopted as an alternate means for an incarcerated party to request a modification of child support.
2. Even if a non-custodial parent has no income, Indiana's Child Support Guidelines recommend that support be set at some minimum level. This Court concludes that if such a request is granted, the support may be reduced to the minimum amounts as set forth in the Indiana Guideline's for Child Support. For example "the court may consider \$12.00 per week for as a minimum child support order" (Guideline No. 2).
3. **Important Rule:** *No reduction will be considered unless* Incarcerated Party: (A) served a copy of this Order and Response to Custodial Party; and, (B) provides the Court with a proper proof of service thereof. Custodial Party shall have sixty (60) days after being served to request a hearing at which Custodial Party has the burden of proving that Incarcerated Party has other income upon which to base child support such as investments, property ownership, inheritance or any other means.
4. If Custodial Party does not respond within sixty (60) days after being properly served, without further action or order by the Court, Incarcerated Party's support obligation shall be deemed to be reduced as set forth above, effective the date of filing.
5. If a reduction is granted, the present child support order shall be reinstated without further petition, notice, hearing or order effective the day the Incarcerated Party is released from incarceration.

6. If Absent Party is granted work release during incarceration, the amount of child support due shall be determined by the rules and regulations of the work release program; and, it may be in excess of the amount set forth herein and up to and including the amount of weekly support and arrears established prior to this Order.

Court's Magistrate, now enters judgment thereon, and further orders that the Clerk of this Court mail a copy of this Lambert Order and Response of Custodial Party to the Incarcerated Party by certified mail, return receipt requested.

Date: July 1, 2015

A handwritten signature in dark ink, appearing to read "Brian McLane", written over a horizontal line.

Brian McLane, Magistrate  
Superior Court II Juvenile Division

Indiana Department of Corrections  
Heritage Trail Correctional Facility  
Willie J. Hemphill, D.O.C. # 157251  
501 West Main Street  
Plainfield, Indiana 46168

Grant County Circuit & Superior Courts  
Courthouse Building  
Attn: Carolyn J. Mowery, Clerk of the Court  
101 E. 4th Street  
Marion, IN 46952

**FILED**

MAY 19 2016

*Carolyn J. Mowery*  
CLERK GCC

May 13<sup>th</sup>, 2016

RE: MODIFY CHILD SUPPORT OBLIGATION  
Cause No. 27D02-0405-JP-325

Dear Ms. Mowery,

Please find enclosed all required Motions, Petitions, and Self-Addressed Stamped Envelopes for this to properly proceed.

Can you please return a File-Stamped Copy for verification and my records to the above-mentioned address.

Thank you in advance for your assistance in this matter.

Yours truly,

*Willie J. Hemphill*  
Willie J. Hemphill, D.O.C. # 157251  
Petitioner, pro se.

STATE OF INDIANA )  
 )SS:  
GRANT COUNTY )

IN THE GRANT SUPERIOR COURT-2

CAUSE NO. 27D02-0405-JP-325

IN RE: CHILD SUPPORT )  
PAYMENTS FOR: )

[REDACTED] )

WILLIE J. HEMPHILL, )  
Petitioner/Father )  
v. )

TRACY JONES(INMAN), )  
Respondent/Mother. )

APPEARANCE FORM

FILED

MAY 19 2016

*Carolyn J. Moore*  
CLERK GCC

Please enter my appearance as *Pro se* Pursuant to *Indiana Rules of Trial Procedure 3.1*

Pro se Litigant:

Willie J. Hemphill, D.O.C. # 157251  
Heritage Trail Correctional Facility  
501 West Main Street  
Plainfield, Indiana 46168

Type of Proceedings:

Child Support Division

Additional Information:

Petitioner cannot accept service by FAX.

Respectfully Submitted,

*Willie J. Hemphill*

Willie J. Hemphill, D.O.C. #157251  
Petitioner, pro se.

STATE OF INDIANA )  
 )SS:  
GRANT COUNTY )

IN THE GRANT SUPERIOR COURT-2  
CAUSE NO. 27D02-0405-JP-325

IN RE: CHILD SUPPORT )  
PAYMENTS FOR: )  
[REDACTED] )  
 )  
WILLIE J. HEMPHILL, )  
Petitioner/Father, )  
v. )  
 )  
TRACY JONES(INMAN), )  
Respondent/Mother. )

**FILED**

MAY 19 2016

*Carolyn J. Mowery*  
CLERK GCC

**MODIFY CHILD  
SUPPORT OBLIGATION**

**COMES NOW**, the Petitioner, Willie J. Hemphill, *pro se*, who respectfully requests this Honorable Court to temporarily modify and/or suspend child support payments, pursuant to *IC §31-16-8-1*. In support of this motion, the Petitioner states the following:

1. That the Petitioner in the above cause was ordered to pay child support in the amount of \$ 41.00 per week plus \$10.00 per week in arrears to the Clerk of the GRANT COUNTY Court, for:

NAME OF CHILD

DATE OF BIRTH

[REDACTED]

[REDACTED]


2. That on the 24<sup>th</sup> day of October 2015 Petitioner was Incarcerated, and on the 8<sup>th</sup> day of March 2016 Petitioner was sentenced to the Indiana Department of Correction for a period of 1- year and with an Earliest Possible Release Date (E.P.R.D.) of July 22<sup>th</sup>, 2016.
3. The Petitioner's incarceration constitutes a substantial change in circumstances justifying modification and/or suspension of his child support obligation. *Clark v. Clark*, 902 N.E.2d 813 (Ind. 2009).
4. That Petitioner presently has an income of approximately \$15 per month from his current prison job assignment.
5. That Petitioner is unable to fulfill his support obligation.



6. That the terms of the child support order are unreasonable and should be modified and/or suspended pursuant to *IC § 31-16-8-1*.


WHEREFORE, the Petitioner respectfully moves this Court modify the current child support order, and for all other relief just and proper.

Respectfully submitted,

  
Willie J. Hemphill, DOC# 157251  
Petitioner, pro se.

#### **CERTIFICATE OF SERVICE AND AFFIRMATION**

I, Willie J. Hemphill swear and affirm that all contents are true and accurate under the penalties of perjury, and that copies of the forgoing along with Self-addressed Stamped Envelopes has been supplied for the Prosecuting Attorney's Office, Tracy Jones (Inman), Mother, and himself to the Grant County Clerk of the Court's Office by mailing through the Heritage Trail Correctional Facility Law Library using the U.S. Postal Service, First Class, postage pre-paid on this the 11<sup>th</sup> day of May, 2016.

  
Willie J. Hemphill, D.O.C. # 157251  
Petitioner, pro se.

STATE OF INDIANA )  
 )SS:  
GRANT COUNTY )

IN THE GRANT SUPERIOR COURT-2  
CAUSE NO. 27D02-0405-JP-325

**FILED**

MAY 19 2016

*Carolyn J. Mowery*  
CLERK GCC

IN RE: CHILD SUPPORT )  
PAYMENTS FOR: )  
[REDACTED] )  
 )  
WILLIE J. HEMPHILL, )  
Petitioner/Father, )  
 )  
vs. )  
 )  
TRACY JONES(INMAN), )  
Respondent/Mother. )

**AFFIDAVIT OF INDIGENCY**

COMES NOW, the Affiant, Willie J. Hemphill and declaring under the penalties of perjury and says:

7. I am the Petitioner in the foregoing instrument.
8. I believe I am entitled to the relief sought.
9. Because of my poverty, I do not have sufficient means, monies, properties, or other securities to pay the cost of an Attorney.
10. The only income I have is approx. \$15.00 per month at my prison job.
11. I affirm under the penalties of perjury that the foregoing representations are true to the best of my knowledge and belief.

Further, Affiant sayeth naught.

*Willie J. Hemphill*  
Willie J. Hemphill, D.O.C. # 157251  
Affiant.

STATE OF INDIANA )  
 ) SS:  
COUNTY OF GRANT )

**SUBSCRIBED AND SWORN** to before me, a Notary public, on this 11<sup>th</sup> day of May, 2016.

*[Signature]*  
Notary Public

STATE OF INDIANA )  
 )SS:  
GRANT COUNTY )

IN THE GRANT SUPERIOR COURT-2  
CAUSE NO. 27D02-0405-JP-325

IN RE: CHILD SUPPORT )  
PAYMENTS FOR: )

)

WILLIE J. HEMPHILL, )  
Petitioner/Father, )

vs. )


**MOTION FOR  
TELEPHONIC APPEARANCE AT HEARING**

)  
TRACY JONES(INMAN), )  
Respondent/Mother. )

**COMES NOW**, Petitioner, Willie J. Hemphill, *pro se*, respectfully moves this Honorable Court to conduct the Modification of Child Support Obligation Hearing, by telephone, pursuant to Indiana Rule of Trial Procedure 73, allowing Petitioner to appear telephonically for his hearing.

WHEREFORE, Willie J. Hemphill, *pro se* respectfully requests this Honorable Court to enter an Order directing the Plainfield Heritage Trail Correctional Facility to contact the Court at a time and date set by the Court via a telephone number given by the Court in this Order so Petitioner can participate in the hearing, for the Court to enter an Order directing the Facility to make Petitioner available for the telephonic hearing so that the Court can conduct the hearing, on the date of the hearing and have the call transferred to Mr. Pruis's office, Law Librarian on the date and time set by the Court.

Respectfully Submitted,

  
Willie J. Hemphill, D.O.C. # 157251  
Petitioner, *pro se*.

**CERTIFICATE OF SERVICE AND AFFIRMATION**

I, Willie J. Hemphill swear and affirm that all contents are true and accurate under the penalties of perjury, and that copies of the forgoing motions has been served upon the Grant County Clerk's Office, for dispensing upon Tracy Jones (Inman), Respondent, by mailing said through the Heritage Trail Correctional Facility Law Library using the U.S. Postal Service, First Class, postage pre-paid on this the 13<sup>th</sup> day of May, 2016.

A handwritten signature in cursive script, reading "Willie J. Hemphill".

Willie J. Hemphill, D.O.C. # 157251  
Petitioner, pro se.

Indiana Department of Corrections  
Heritage Trail Correctional Facility  
Willie J. Hemphill, D.O.C. # 157251  
501 West Main Street  
Plainfield, Indiana 46168

Grant County Circuit & Superior Courts  
Courthouse Building  
Attn: Carolyn J. Mowery, Clerk of the Court  
101 E. 4th Street  
Marion, IN 46952

**FILED**

MAY 19 2016

*Carolyn J. Mowery*  
CLERK GCC

May 13<sup>th</sup>, 2016

RE: MODIFY CHILD SUPPORT OBLIGATION  
Cause No. 27D02-0405-JP-325

Dear Ms. Mowery,

Please find enclosed all required Motions, Petitions, and Self-Addressed Stamped Envelopes for this to properly proceed.

Can you please return a File-Stamped Copy for verification and my records to the above-mentioned address.

Thank you in advance for your assistance in this matter.

Yours truly,

*Willie J. Hemphill*  
Willie J. Hemphill, D.O.C. # 157251  
Petitioner, pro se.

STATE OF INDIANA )

IN THE GRANT SUPERIOR COURT-2

GRANT COUNTY )SS:

CAUSE NO. 27D02-0405-JP-325

IN RE: CHILD SUPPORT )

PAYMENTS FOR: )

)

WILLIE J. HEMPHILL, )

Petitioner/Father )

v. )

TRACY JONES(INMAN), )

Respondent/Mother. )

APPEARANCE FORM

FILED

MAY 19 2016

*Cassidy J. Maxwell*  
CLERK GCC

Please enter my appearance as *Pro se* Pursuant to *Indiana Rules of Trial Procedure 3.1*

Pro se Litigant:

Willie J. Hemphill, D.O.C. # 157251  
Heritage Trail Correctional Facility  
501 West Main Street  
Plainfield, Indiana 46168

Type of Proceedings:

Child Support Division

Additional Information:

Petitioner cannot accept service by FAX.

Respectfully Submitted,

*Willie J. Hemphill*

Willie J. Hemphill, D.O.C. #157251  
Petitioner, pro se.

STATE OF INDIANA )  
 )SS:  
GRANT COUNTY )

IN THE GRANT SUPERIOR COURT-2

CAUSE NO. 27D02-0405-JP-325

IN RE: CHILD SUPPORT )  
PAYMENTS FOR: )  
[REDACTED] )  
 )  
WILLIE J. HEMPHILL, )  
Petitioner/Father, )  
v. )  
 )  
TRACY JONES(INMAN), )  
Respondent/Mother. )

**MODIFY CHILD  
SUPPORT OBLIGATION**

**FILED**

MAY 19 2016

*Carolyn J. Mowery*  
CLERK GCC

**COMES NOW**, the Petitioner, Willie J. Hemphill, *pro se*, who respectfully requests this Honorable Court to temporarily modify and/or suspend child support payments, pursuant to *IC §31-16-8-1*. In support of this motion, the Petitioner states the following:

1. That the Petitioner in the above cause was ordered to pay child support in the amount of \$41.00 per week plus \$10.00 per week in arrears to the Clerk of the GRANT COUNTY Court, for:

NAME OF CHILD

DATE OF BIRTH

[REDACTED]


[REDACTED]

2. That on the 24<sup>th</sup> day of October 2015 Petitioner was Incarcerated, and on the 8<sup>th</sup> day of March 2016 Petitioner was sentenced to the Indiana Department of Correction for a period of 1- year and with an Earliest Possible Release Date (E.P.R.D.) of July 22<sup>th</sup>, 2016.
3. The Petitioner's incarceration constitutes a substantial change in circumstances justifying modification and/or suspension of his child support obligation. *Clark v. Clark*, 902 N.E.2d 813 (Ind. 2009).
4. That Petitioner presently has an income of approximately \$15 per month from his current prison job assignment.
5. That Petitioner is unable to fulfill his support obligation.

6. That the terms of the child support order are unreasonable and should be modified and/or suspended pursuant to *IC § 31-16-8-1*.


WHEREFORE, the Petitioner respectfully moves this Court modify the current child support order, and for all other relief just and proper.

Respectfully submitted,

  
Willie J. Hemphill, DOC#157251  
Petitioner, pro se.

#### **CERTIFICATE OF SERVICE AND AFFIRMATION**

I, Willie J. Hemphill swear and affirm that all contents are true and accurate under the penalties of perjury, and that copies of the forgoing along with Self-addressed Stamped Envelopes has been supplied for the Prosecuting Attorney's Office, Tracy Jones (Inman), Mother, and himself to the Grant County Clerk of the Court's Office by mailing through the Heritage Trail Correctional Facility Law Library using the U.S. Postal Service, First Class, postage pre-paid on this the 11<sup>th</sup> day of May, 2016.

  
Willie J. Hemphill, D.O.C. # 157251  
Petitioner, pro se.



STATE OF INDIANA )  
GRANT COUNTY )

IN THE GRANT SUPERIOR COURT-2  
CAUSE NO. 27D02-0405-JP-325

IN RE: CHILD SUPPORT )  
PAYMENTS FOR: )  
[REDACTED] )  
WILLIE J. HEMPHILL, )  
Petitioner/Father, )  
vs. )  
TRACY JONES(INMAN), )  
Respondent/Mother. )

**AFFIDAVIT OF INDIGENCY**

**FILED**

MAY 19 2016

*Carolyn J. Mowery*  
CLERK GCC

COMES NOW, the Affiant, Willie J. Hemphill and declaring under the penalties of perjury and says:

7. I am the Petitioner in the foregoing instrument.
8. I believe I am entitled to the relief sought.
9. Because of my poverty, I do not have sufficient means, monies, properties, or other securities to pay the cost of an Attorney.
10. The only income I have is approx. \$15.00 per month at my prison job.
11. I affirm under the penalties of perjury that the foregoing representations are true to the best of my knowledge and belief.

Further, Affiant sayeth naught.

*Willie J. Hemphill*  
Willie J. Hemphill, D.O.C. # 157251  
Affiant.

STATE OF INDIANA )  
COUNTY OF GRANT )

**SUBSCRIBED AND SWORN** to before me, a Notary public, on this 11<sup>th</sup> day of May, 2016.

*[Signature]*  
Notary Public

STATE OF INDIANA )  
 )SS:  
GRANT COUNTY )

IN THE GRANT SUPERIOR COURT-2

CAUSE NO. 27D02-0405-JP-325

**FILED**

MAY 19 2016

*Carolyn J. Mowery*  
CLERK GCC

IN RE: CHILD SUPPORT )  
PAYMENTS FOR: )

[REDACTED] )

WILLIE J. HEMPHILL, )  
Petitioner/Father, )

vs. )

**MOTION FOR  
TELEPHONIC APPEARANCE AT HEARING**

)  
TRACY JONES(INMAN), )  
Respondent/Mother. )

**COMES NOW**, Petitioner, Willie J. Hemphill, *pro se*, respectfully moves this Honorable Court to conduct the Modification of Child Support Obligation Hearing, by telephone, pursuant to Indiana Rule of Trial Procedure 73, allowing Petitioner to appear telephonically for his hearing.

WHEREFORE, Willie J. Hemphill, *pro se* respectfully requests this Honorable Court to enter an Order directing the Plainfield Heritage Trail Correctional Facility to contact the Court at a time and date set by the Court via a telephone number given by the Court in this Order so Petitioner can participate in the hearing, for the Court to enter an Order directing the Facility to make Petitioner available for the telephonic hearing so that the Court can conduct the hearing, on the date of the hearing and have the call transferred to Mr. Pruis's office, Law Librarian on the date and time set by the Court.

Respectfully Submitted,

*Willie J. Hemphill*  
Willie J. Hemphill, D.O.C. # 157251  
Petitioner, *pro se*.

**CERTIFICATE OF SERVICE AND AFFIRMATION**

I, Willie J. Hemphill swear and affirm that all contents are true and accurate under the penalties of perjury, and that copies of the forgoing motions has been served upon the Grant County Clerk's Office, for dispensing upon Tracy Jones (Inman), Respondent, by mailing said through the Heritage Trail Correctional Facility Law Library using the U.S. Postal Service, First Class, postage pre-paid on this the 13<sup>th</sup> day of May, 2016.

A handwritten signature in black ink, reading "Willie J. Hemphill". The signature is written in a cursive style with a horizontal line underneath the name.

Willie J. Hemphill, D.O.C. # 157251  
Petitioner, pro se.

IN THE SUPERIOR COURT #2  
JUVENILE DIVISION  
GRANT COUNTY, INDIANA

FILED

JUL 28 2016

*Cassidy J. Mowery*  
CLERK GSC 2

In Re: Child Support

TRACY JONES, Petitioner

Vs.

WILLIE HEMPHILL, Respondent

CAUSE NO.: 27D02-0404-JP-000325

CHILD SUPPORT ORDER

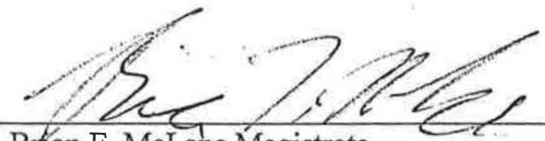
Petitioner and Respondent appear on July 28, 2016 on the Petitioners request for a hearing to adjust the arrearage balance. The Title IV-D Agency appears by Stephen Johnson. The Magistrate of the Court finds the following:

1. Respondent shall receive credit for \$410.00 on the arrearages.
2. Respondent applied for a reduction during his incarceration of ten (10) weeks between the dates of May 2015 to May 2016.
3. Respondent's arrearage balance as of June 30, 2016 is \$16,790.69 after the proper credit was applied. The Clerk of the Court is directed to enter the arrearages into the judgment docket.
4. Respondent shall pay \$41.00 week child support plus an additional \$10.00 per week on the child support arrearage until paid in full.

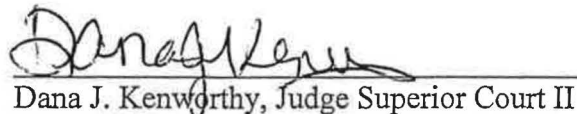
ORDER

Comes now the Court and, having reviewed the facts presented by the Title IV-D Agency and the Parties the Magistrate, now adopts same and enters judgment thereon.

Date: July 28, 2016



Brian F. McLane Magistrate  
Superior Court II Juvenile Division



Dana J. Kenworthy, Judge Superior Court II

IN THE SUPERIOR COURT #2  
JUVENILE DIVISION  
GRANT COUNTY, INDIANA

**FILED**

JUL 28 2016

*Cassidy J. Mowley*  
CLERK GSC 2

In Re: Child Support

TRACY JONES, Petitioner

Vs.

WILLIE HEMPHILL, Respondent

CAUSE NO.: 27D02-0404-JP-000325

AMENDED  
CHILD SUPPORT ORDER

Petitioner and Respondent appear on July 28, 2016 on the Respondent's request for a hearing to adjust the arrearage balance. The Title IV-D Agency appears by Stephen Johnson. The Magistrate of the Court finds the following:


1. Respondent shall receive credit for \$410.00 on the arrearages.
2. Respondent applied for a reduction during his incarceration of ten (10) weeks between the dates of May 2015 to May 2016.
3. Respondent's arrearage balance as of June 30, 2016 is \$16,790.69 after the proper credit was applied. The Clerk of the Court is directed to enter the arrearages into the judgment docket.
4. Respondent shall pay \$41.00 week child support plus an additional \$10.00 per week on the child support arrearage until paid in full.

ORDER

Comes now the Court and, having reviewed the facts presented by the Title IV-D Agency and the Parties the Magistrate, now adopts same and enters judgment thereon.

Date: July 28, 2016

  
Brian F. McLane Magistrate  
Superior Court II Juvenile Division

  
Dana J. Kenworthy Judge Superior Court II

IN THE SUPERIOR COURT #2

GRANT COUNTY, INDIANA

In Re: Child Support

TRACY Y. JONES, Petitioner

Vs.

WILLIE HEMPHILL, Respondent

CAUSE NO.: 27D02-0404-JP-000325

ORDER ON CITATION HEARING

The Grant County Title IV-D Agency appears by, Nathan Meeks, for the Custodial Party on the Citation Hearing held on January 9, 2018. Respondent, **WILLIE HEMPHILL**, being duly advised of the constitutional right to counsel, appears in person.

1. Having willfully failed to pay child support as ordered, when capable and able to do so, Respondent is in Indirect Contempt of Court; and, is in arrears the sum of \$19,066.00 as of December 31, 2017. The Clerk of the Court is directed to enter the total arrearage in the judgment docket in favor the other party or parties.
2. Respondent is ordered to pay the regular order of support in the sum of \$41.00 per week (Child Support), plus \$10.00 per week on the Arrearage until paid in full.
3. Pursuant to Indiana Law, an income withholding order is authorized. Respondent's employer (Income Payor) is hereby ordered to withhold and pay the amounts set forth from Respondent's pay and remit them to Indiana's State Central Collection Unit (INSCCU), P. O. Box 7130, Indianapolis, IN 46206-7130. The Title IV-D Agency shall send required notice to the Income Payor. Until actually deducted from Respondent's wages by the Income Payor, Respondent shall make all payments directly to the Clerk if in cash, or if by check, to the INSCCU.
4. Pursuant to Indiana Law, any person ordered to pay child support or maintenance shall pay to the Court Clerk an annual account maintenance fee each January which is currently in the amount of Fifty-five Dollars (\$55.00).
5. Being found in Contempt, Respondent is sentenced to a coercive incarceration of forty-five (45) days in the Grant County Jail, forty-five (45) days of said sentence shall be suspended on the condition Respondent pays his support obligation in full each and every week. Respondent may purge this Contempt and be released from jail by payment of \$750.00 cash only purge bond to be applied by the Clerk in escrow and to be paid to the Custodial Party to reduce the child support arrearage. Should the cash purge bond be in excess of the arrears, the additional amount shall be distributed by the Clerk to the Custodial Party as security for the payment of future child support. The Indirect Contempt finding, coercive incarceration jail sentence, and cash purge bond are hereby

re-established and restored for any subsequent failures to comply with child support or related orders of the Court.

6. Upon qualification and the signing of any required documents during any coercive jail incarceration the Respondent may participate in the Sheriff's Work Release Program. Provided that this may require Respondent's written consent and agreement to an extension of the coercive incarceration term if necessary to meet the Sheriff's Work Release Rules.

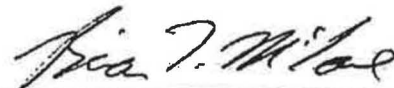
7. Respondent is to report any change of employment or address in writing to the Title IV-D Office and the Clerk of the Court.

8. Any deferred sentence is conditioned upon the compliance of all current and subsequent orders.

9. For the future service of notice or other court documents, Respondent, under oath, gave a legal address as; **1326 LYNHURST DRIVE LOT#18 INDIANAPOLIS, IN 46241**. Respondent shall notify the Grant County Clerk, located in the Grant County Courthouse, Marion, IN; and the Title IV-D Office, located in the Grant County Complex, 6<sup>th</sup> Floor, 401 S. Adams Street, Marion, IN, in writing, of any change in employment, address, or other factor that might affect this Order. The Respondent's compliance with this and all other orders of the Court shall be monitored by the Title IV-D Office's Compliance Officer.

Comes now the Magistrate of the Court and enters judgment thereon.

Date: January 10, 2018

A handwritten signature in black ink, appearing to read "Brian F. McLane", written over a horizontal line.

Brian F. McLane, Magistrate  
Title IV-D Court